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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,246	02/28/2002	Glenn H. Sherman	4781.P001A	1716

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LAW OFFICES OF JAMES D. MCFARLAND  
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SUITE 305  
SAN DIEGO, CA 92130

EXAMINER

KOVAL, MELISSA J

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/085,246

Applicant(s)

SHERMAN ET AL.

Examiner

Melissa J Koval

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-22 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kremen ('562 B1).

Begin by referring to Figure 60(a) of Kremen ('562 B1), for example.

Claim 1 sets forth: "A laser projection system comprising: a Laser-CRT (laser 167) system that outputs white light, a film delivery system (holographic film 168) including a film aperture, said film delivery system advancing film over the aperture, for illumination by said white light, and projection optics for projecting a film image from said film onto a screen (diffusing screen 174)."

Kremen ('562 B1) does not specifically discuss either an aperture or projection optics in this embodiment, but the reference implies that such structure is known. For example, refer to Figure 63(c) of Kremen ('562 B1) wherein the film travels through a gate-like device (not labeled with a reference character) and is projected by a lens (also not labeled by a reference character). It is notoriously well-known in the art that conventional film, comprised by frames with sprockets along at least one periphery, travels through a gate, or in other words aperture, for accurate registration during the projection process. The same is true for holographic film as discussed by Kremen ('562

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B1), with respect to Figure 24(c), refer to column 25, lines 34 through 67, and column 26, lines 1 through 42. Also refer to column 33, lines 33 through 67, column 34, lines 1 through 67, and column 35, line 1.

Therefore claim 1 is met by figure 60(a) in view of figures 63(c), and further in view of figure 24(a) of Kremen ('562 B1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a projection system with projection optics, and a film aperture. The motivation for one having ordinary skill in the art to combine the embodiments of Kremen ('562 B1) to meet the limitations of figure 1 would be to create an operable laser projection system comprising a film delivery system, such that the laser projection system makes use of coherent light and accurate film registration to provide perfect imagery.

Claim 2 is rejected for the same reasons already applied to rejected claim 1, as it is clear that the system of Kremen ('562 B1) provides means to illuminate the film aperture only when a single frame of film is stopped.

With respect to claims 1 through 6, Kremen ('562 B1) discusses the full color with respect to monochrome operation for application to the embodiments taught therein. Furthermore refer to figure 35.

***Allowable Subject Matter***

Claims 7-22 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art neither shows nor suggests a "dual mode laser projection system that has a film mode and an electronic mode for projecting an image onto a screen".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hardie U.S. Patent 5,774,174 teaches a laser projector.

Brown U.S. 6,137,530 teaches a combination continuous motion and stationary pin registration film gate for telecine.

Kurtz et al. U.S. patent 6,501,530 B2 teaches a motion picture film projector illumination system for minimizing film buckle.

Neyman U.S. 6,292,617 B1 teaches a system and method for controlling the transfer of an image on a first medium to other recording media.

Flint U.S. Patent Application Publication US 2002/0063854 A1 teaches a multi-screen laser projection system using a shared laser source.


Flint U.S. Patent Application Publication US 2002/0060753 A1 teaches a digital display system using pulsed lasers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J Koval whose telephone number is (703) 308-4801. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on Monday through Thursday at (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

MJK  
March 21, 2003



RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
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